

## State Water Resources Control Board

October 29, 2018

(Via email and Certified Mail)  
**CERTIFIED MAIL**  
**NO. 7018 0680 0000 1017 5222**

Mr. Irving Garcia  
Engineering  
Kern County Housing Authority  
3015 Wilson Road  
Bakersfield, California 93301  
[lgarcia@kernha.org](mailto:lgarcia@kernha.org)

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEM  
LOCATED AT KERN COUNTY HOUSING AUTHORITY, 3015 WILSON ROAD,  
BAKERSFIELD**

Dear Mr. Irving:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST at your facility on October 17, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	<b>Failure to Provide Designated Operator (DO) Training</b> – The March 14, 2018 DO training record lists only one trained employee. At least one of the facility employees present during operating hours shall have current training.	Diesel	October 17, 2018	Ongoing	23 CCR 2715(C)(2)
2	<b>Failure to Maintain Tank Information</b> – In CERS, under fill components installed, containment sump lists yes; however, it should list no.	Diesel	October 17, 2018	Ongoing	23 CCR 2711(a)

**You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Bakersfield City Fire Department within sixty (60) days from the date of this letter. Have your DO make specific notations in the next monthly DO report indicating the ongoing violations have been corrected. The monthly DO report and any associated photos must be submitted as proof of compliance.**

Please send all compliance documentation to the following:

**State Water Board**

Mr. Douglas McDevitt  
UST Enforcement Unit  
Office of Enforcement  
State Water Resources Control Board  
801 K Street, Suite 2300  
Sacramento, California 95814  
[douglas.mcdevitt@waterboards.ca.gov](mailto:douglas.mcdevitt@waterboards.ca.gov)

**Local CUPA**

Mr. Kris Karns  
Prevention III  
Bakersfield City Fire Department  
2101 H Street  
Bakersfield, California 93301  
[kkarns@bakersfieldfire.us](mailto:kkarns@bakersfieldfire.us)

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5891, or by email at [matthew.buffleben@waterboards.ca.gov](mailto:matthew.buffleben@waterboards.ca.gov).

Sincerely,



Matthew Buffleben  
Supervising Water Resources Control Engineer  
Acting Manager, UST Enforcement Unit  
**Office of Enforcement**

cc: *(via email only)*

Mr. Gilbert Lopez  
Maintenance  
Kern County Housing Authority  
[glopez@kernha.org](mailto:glopez@kernha.org)

Mr. Johnny Montez  
Facility Management  
Kern County Housing Authority  
[jmontez@kernha.org](mailto:jmontez@kernha.org)

Mr. Kris Karns  
Prevention III  
Bakersfield City Fire Department  
[kkarns@bakersfieldfire.us](mailto:kkarns@bakersfieldfire.us)

Mr. Howard Wines, Director  
Bakersfield City Fire Department  
[hwines@bakersfieldfire.us](mailto:hwines@bakersfieldfire.us)